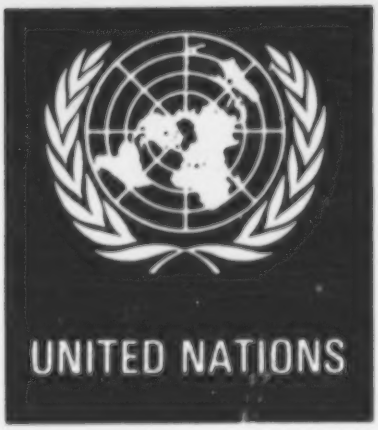

DIVISION FOR PALESTINIAN RIGHTS

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CONTENTS

		Page
I.	RE-ELECTION FOR 1993 OF OFFICERS OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE: STATEMENT BY THE SECRETARY-GENERAL	1
II.	ACTION TAKEN BY THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE	3
III.	SECRETARY-GENERAL REPORTS TO THE SECURITY COUNCIL UNDER RESOLUTION 799 (1992)	5
IV.	EXCERPT FROM FINAL DECLARATION OF THE MEETING OF THE BUREAU OF THE SIXTH ISLAMIC SUMMIT ENLARGED TO THE CHAIRMEN OF THE STANDING COMMITTEES HELD IN DAKAR, SENEGAL, ON 11 JANUARY 1993	6
V.	NON-GOVERNMENTAL ORGANIZATIONS: ACTIVITIES AND INFORMATION.	9

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I. RE-ELECTION FOR 1993 OF OFFICERS OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE: STATEMENT BY THE SECRETARY-GENERAL

On 27 January 1993, the Committee unanimously re-elected H.E. Mr. Kéba Birane Cissé (Senegal) as Chairman, H.E. Mr. Alcibiades Hidalgo Basulto (Cuba) as a Vice-Chairman and H.E. Mr. Victor Camilleri (Malta) as Rapporteur. The election of a second Vice-Chairman was postponed.

At the same meeting, the Committee decided to re-establish its Working Group under the chairmanship of Mr. Camilleri and a representative of India as Vice-Chairman.

After congratulating the Chairman and other members of the Bureau on their re-election, the Secretary-General made the following statement (see SG/SM/4916/Rev.2;GA/PAL/599/Rev.2):

"As the Committee resumes its work with a mandate renewed by an overwhelming majority of Member States at the forty-seventh session of the General Assembly, I wish to assure you that I am following the evolution of Arab-Israeli relations with the utmost attention and that one of my principal objectives is the achievement of peace in the Middle East, an issue which is for me a constant preoccupation.

"Broad agreement exists within the international community that the settlement of the Palestinian question should be based on the following elements: firstly, the withdrawal of Israeli forces from the Palestinian and other Arab territories occupied since June 1967; secondly, recognition of and respect for the sovereignty, territorial integrity and political independence of all the States in the region, including their right to live in peace within secure and recognized borders; lastly, recognition of the legitimate rights of the Palestinian people, including their right to self-determination.

"The peace process, which was launched at Madrid more than a year ago, has been welcomed throughout the world. It has given rise to hope everywhere that decisive progress can at last be made towards finding a solution to this long and tragic conflict. This process has received the support of the parties concerned and is taking place within the framework of Security Council resolutions 242 (1967) and 338 (1973). The negotiations which have taken place have proved that the parties are capable of entering into a dialogue. As I have already made clear on several occasions, the United Nations stands ready to help the

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participants to formulate and conclude a just, lasting and comprehensive peace in the region. I was therefore pleased to accept the invitation to attend the multilateral peace negotiations on the Middle East. As you are aware, I have appointed as my Special Representative at these negotiations, Chinmaya Gharekhan, a former Permanent Representative of India to the Organization. Mr. Gharekhan has already begun to coordinate United Nations action within the five working groups, one of which deals with the question of refugees, while the others are concerned with issues of arms control and security, the environment, water and economic and regional development, respectively.

"Tensions in the occupied territories have been rising since December 1987. Hundreds of people have been killed, including a large number of children. Many Palestinians have been forced to abandon the towns and villages where they had lived for several generations.

"It is therefore of vital importance to ensure that the provisions of the Fourth Geneva Convention are applied to all the territories which have been occupied since 1967. The international community, time and again, has declared that the Geneva Convention was applicable to the occupied territories. Time and again, it has appealed to Israel to honour its obligations as the occupying Power. I repeat, in the hope that I am heeded, that the principal Contracting Parties to the Convention have the duty to ensure that its provisions are fully observed in the occupied territories. The credibility of the Convention is at stake. Indeed, the credibility of international law and of international organizations themselves is at stake.

"Declarations of intent and resolutions whose provisions are never effectively implemented do not serve the cause of peace. They merely build resentment and heighten criticism of international efforts in the service of the most noble ideals.

"Israel's decision on 17 December 1992, to deport 415 Palestinian civilians to Lebanon has aroused great concern. This action is illegal under international law and Security Council resolutions. On 18 December 1992, the Security Council unanimously adopted resolution 799 (1992) which forcefully reaffirmed this position. The Council demanded 'that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported'.

"In response to the Council's request, I sent Under-Secretary-General James O. C. Jonah to the region. His mission proved inconclusive. I therefore sent my Special

Representative, Under-Secretary-General Chinmaya Gharekhan, to the region to discuss with the Government of Israel ways of bringing an end to this situation.

"Mr. Gharekhan has made two visits to Israel this month. After receiving his assessment, I submitted a report to the Security Council on 25 January.

"As I stated at the end of my report, developments such as those that were the subject of the report underscore the need to achieve a comprehensive, just and lasting peace in the Middle East. Only then can the root causes of the continuing violence be eliminated.

"This objective has long been and will continue to be an important focus of the United Nations efforts. The ongoing volatility of the situation in the occupied territories remains a matter of deep concern, and makes it all the more imperative that the international community should spare no effort in pursuit of a settlement. For my part, I remain committed to do everything possible to help in this endeavour.

"I wish to express my thanks to this Committee. You have done much to advance the rights and aspirations of the Palestinian people. The programme of regional seminars, information activities and meetings of non-governmental organizations sponsored by the Committee has helped to increase knowledge of this question at the international level. You have my full support in the continuation of your work."

II. ACTION TAKEN BY THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

At its meeting held on 21 January 1993, the Committee adopted the following statement concerning the deportation of Palestinian civilians from the occupied Palestinian Territory by the Israeli authorities (see A/47/874-S/25136):

"The Committee on the Exercise of the Inalienable Rights of the Palestinian People strongly condemns the mass deportation of over 400 Palestinians from the occupied Palestinian territory by Israel, the occupying Power, on 17 December 1992. This action constitutes a grave breach of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and is in violation of numerous Security Council resolutions which demand that Israel refrain from deporting any

Palestinian civilian from the occupied territories and ensure the safe and immediate return of all those deported. It is also in flagrant violation of the sovereignty and territorial integrity of Lebanon and is contrary to the Charter of the United Nations and the principles of international law.

"The Committee joins the international community in warning that these violations and the policy of collective punishments and continued repression in the occupied Palestinian territory being pursued by Israel pose grave dangers for security and stability in the region and for the ongoing peace process.

"The Committee appreciates and supports the continuing efforts of the Secretary-General and his personal representatives to resolve this matter in accordance with Security Council resolution 799 (1992) of 18 December 1992, and notes in particular the Secretary-General's position, contained in his letter of 3 January 1993, concerning possible further steps to be taken by the Security Council. The Committee condemns Israel's persistent refusal to comply with that resolution, which demanded that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported.

"The Committee notes with extreme concern that the deportees are still enduring extremely harsh conditions, exposed to winter weather and without adequate food, water and medical care. They also face the threat of possible violent actions including artillery shelling, from Israeli or Israeli-controlled forces. The Committee underlines that the Israeli Government bears exclusive and direct responsibility for this unlawful and repressive action and the resulting inhuman situation, and that it is incumbent upon the international community to do everything in its power to bring it to an end, to ensure compliance with Security Council resolution 799 (1992) and to prevent any similar illegal action by the Israeli Government in the future.

"The Committee calls in particular upon the Security Council to take all necessary measures, including the application of Chapter VII of the United Nations Charter, to bring about the implementation of its resolution. The Committee believes that this would help to ensure the continuation of the peace process, preserve the prestige and credibility of the Security Council, and guarantee respect for international law and agreements by all, without exception.

"Noting with grave concern the continuing human rights violations by Israel, the occupying Power, in the occupied Palestinian territory, particularly the increased casualties, blanket curfews and mass arrests in recent weeks, the Committee

once again urgently appeals to the Security Council to take the necessary measures to provide appropriate protection to the Palestinian people in the occupied Palestinian territory, including Jerusalem, in accordance with the provisions of the Fourth Geneva Convention and numerous Security Council resolutions, particularly resolution 681 (1990), until a permanent, durable and just solution is found to the question of Palestine based on relevant United Nations resolutions."

III. SECRETARY-GENERAL REPORTS TO SECURITY COUNCIL UNDER RESOLUTION 799 (1992)

On 25 January 1993, the Secretary-General submitted a report to the Security Council in response to the request made by the Council in resolution 799 (1992). After detailing his efforts and those of his representatives, James Jonah and Chinmaya Gharekhan, to resolve the matter of the Palestinian deportees in accordance with that resolution, the Secretary-General made the following observations:

"To recognize fully the gravity of the situation addressed in Security Council resolution 799 (1992), it is important to recall that the deportations carried out by the Government of Israel on 17 December 1992 are only the most recent in a series of violations by Israel of the Fourth Geneva Convention. The question of the safety and protection of Palestinian civilians under Israeli occupation has repeatedly been addressed by the Security Council since December 1987. For this reason and in the light of requests conveyed by Palestinian leaders to me as well as to Mr. Jonah and Mr. Gharekhan during their missions to the region, I intend to initiate discussions with the Israeli authorities regarding the establishment of a United Nations monitoring mechanism in the occupied territories, as suggested in resolution 681 (1990). This should have the effect of reassuring Palestinians under Israeli occupation that the international community is not neglecting their need for safety and protection, a need which must be met regardless of progress in the peace talks.

"As has been made clear by the above narrative, Israel continues to refuse to comply with resolution 799 (1992). This is all the more regrettable given that I have, in accordance with the mandate entrusted to me in paragraph 5 of that resolution made persistent efforts to achieve a solution. I have sent three missions to the region and have personally spoken several times with Israeli Prime Minister Rabin and Minister for Foreign Affairs Peres. The refusal by Israel to ensure the safe and immediate return of deportees as demanded in resolution 799 (1992), in my view, challenges the authority of the Security

Council. Additionally, there is a growing perception, throughout the international community, that the Council, by not pressing for Israeli compliance with its resolutions, of which resolution 799 (1992) is only the latest, does not attach equal importance to the implementation of all of its decisions. In these circumstances, I would be failing in my duty if I did not recommend to the Security Council that it should take whatever measures are required to ensure that its unanimous decision, as set out in resolution 799 (1992), is respected.

"Having said that, I wish to point out that developments such as those that are the subject of the present report underscore the need to achieve a comprehensive, just and lasting peace in the Middle East. This objective has long been and will continue to be an important focus of United Nations efforts. The ongoing volatility of the situation in the occupied territories remains a matter of deep concern, and makes it all the more imperative that the international community should spare no effort in pursuit of a settlement. For my part, I remain committed to do everything possible to help in this endeavour." (See S/25149, paras. 17 to 19)

IV. EXCERPT FROM FINAL DECLARATION OF THE MEETING OF THE BUREAU OF THE SIXTH ISLAMIC SUMMIT ENLARGED TO THE CHAIRMEN OF THE STANDING COMMITTEES HELD IN DAKAR, SENEGAL, ON 11 JANUARY 1993

"At the kind invitation of His Excellency Abdou Diouf, President of the Republic of Senegal and Chairman of the Organization of the Islamic Conference, the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees met in Dakar, Republic of Senegal, on 18 Rajab 1413H, corresponding to 11 January 1993.

"The Meeting was attended by the following member States of the Bureau and those chairing the Standing Committees: Republic of Indonesia, Republic of Senegal, Syrian Arab Republic, State of Palestine, State of Kuwait, Kingdom of Morocco, Islamic Republic of Pakistan, Republic of Turkey.

"The Kingdom of Saudi Arabia, as Chairman of the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers, attended the Meeting.

"His Excellency Alija Izetbegovic, President of the Republic of Bosnia and Herzegovina, also attended the Meeting.

"The Meeting considered the question of the banished Palestinians, the tragic situation in Bosnia and Herzegovina and the question of the destruction of the Babri Mosque.

"The Meeting examined the odious crime committed by the Israeli Government in implementing its policy of massive banishment and by banishing over 400 Palestinian citizens from their occupied homeland, and its dangerous effects on the cause of Palestine and Al-Quds Al-Sharif. It strongly condemned the Israeli Government's decision to banish Palestinian citizens from their homeland and considered it as a flagrant violation of the principles of human rights and all international conventions and agreements, and in particular the Fourth Geneva Convention of 1949, as well as a violation of the sovereignty of Lebanon and the unity and security of its territories and a threat to the international peace and security and the continuation of the Middle East peace talks.

"In this context, it strongly condemned Israel for having announced its refusal to implement Security Council resolution 799 (1992), thus violating Article 26 of the Charter of the United Nations, a fact which demands the application on Israel of Chapter VII of the Charter for having refused to implement this resolution as well as other international resolutions.

"It underlined that the Israeli Government bears exclusive and direct responsibility for the tragic living conditions endured by those banished and that it must be forced to allow international and humanitarian organizations to channel the necessary medical and food supplies to them until their return.

"It considered that the serious escalation of Israeli inhuman aggression against the Palestinian people in the occupied Palestinian territories makes it incumbent upon the international community to provide the necessary means of pressure to force Israel to bring back all those Palestinians and to put an end to its oppressive practices against the Palestinian citizens in the occupied Palestinian territories. The international community should also adopt the necessary measures to provide appropriate protection to the Palestinian people in the occupied territories and to place the latter under interim international supervision pursuant to international resolutions, in particular Security Council resolutions 605 (1987), 607 (1988), 681 (1990) and 726 (1992).

"It hailed the blessed Palestinian intifadah in the occupied Palestinian territories and expressed its full solidarity and support to the Palestinian people in their legitimate struggle for the recovery of their inalienable national rights, and

reiterated that the issue of Al-Quds Al-Sharif and Palestine constitute the central and foremost issue of the Islamic Ummah, and the core of the Arab-Israeli conflict, and that a comprehensive and just peace in the Middle East can only be achieved through the complete Israeli withdrawal from all occupied Palestinian and Arab territories, including Al-Quds Al-Sharif, the Syrian Golan, South Lebanon and the Jordanian territories and through enabling Palestinian people to exercise their inalienable and imprescriptible national rights, including their right to return, to self-determination and to the establishment of their own independent Palestine State with its capital Al-Quds Al-Sharif, under the leadership of their sole legitimate representative, the Palestine Liberation Organization.

"It expressed its concurrence with and support to the efforts under way for achieving a comprehensive and equitable solution to the issue of Palestine and the Arab-Israeli conflict, in accordance with the international resolutions and in particular Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and the formula of land for peace and the national political rights of the Palestinian people and the settlement of the issue of the Palestinian refugees pursuant to the United Nations resolutions and in particular General Assembly resolution 194 and Security Council resolution 237 (1967).

"It reiterated that the city of Al-Quds Al-Sharif forms an integral part of the Palestinian territories occupied in 1967 and that it is subject to all that is applicable to these territories, in accordance with interactional resolutions and that it cannot in any way be excluded from the current peace talks.

"It reaffirmed that all measures and arrangements taken by Israel to annex the city of Al-Quds Al-Sharif and the Syrian Golan and to impose Israeli law there are null and void, in accordance with Security Council resolutions 465 (1980), 478 (1980) and 497 (1981).

"It considered all the Israeli settlements established in the occupied Palestinian and Arab territories as illegal and contrary to international resolutions, notably Security Council resolution 465 (1980), and that necessary international guarantees should be provided to ensure their removal. It called upon the international community to exercise necessary pressure to force Israel to discontinue settlements in the occupied Arab and Palestinian territories, including Al-Quds Al-Sharif, and considered that the establishment and expansion of settlements and the settlement of Jewish immigrants there constitutes a major obstacle in the way of the achievement of peace.

"It expressed its appreciation for all States, people, international and regional organizations, as well as the Vatican, which have condemned the mass banishment policy practised by Israel against the Palestinian people and requested them to continue to extend all forms of support to the just struggle of the Palestinian people.

"It mandated His Excellency Abdou Diouf, President of the Republic of Senegal and Chairman of the Sixth Islamic Summit Conference, to undertake contacts at the highest level with the Member States of the Security Council, the United Nations Secretary-General and the Chairman of the European Community so that the Security Council may ensure without any delay the implementation of its resolution 799 (1992) guaranteeing the immediate and safe return of the banished Palestinians to their homes, and the imposition of mandatory and comprehensive sanctions in accordance with the provisions of Chapter VII of the Charter of the United Nations." (See A/47/866 - S/25096, paras 1 to 16)

V. NON-GOVERNMENTAL ORGANIZATIONS: ACTIVITIES AND INFORMATION

In the course of January, the following information was received by the Division for Palestinian Rights:

1. Amnesty International Newsletter, available from: 1 Easton Street, London WCIX, 8 DJ, United Kingdom.

2. The Washington Report on Middle East Affairs, January 1993. Available from: P.O. Box 53062, Washington, D.C. 20009.

3. The Other Front, weekly bulletin on developments in Israeli society, available from: P.O. Box 19543, Jerusalem.

4. Middle East International, bi-weekly publication, available from: P.O. Box 53365, Temple Heights Station, Washington, D.C., 20009, United States of America.

5. Newsletter of the Middle East Justice Network, available from: P.O. Box 558, Cambridge, MA 02238, United States of America.

6. Israel and Palestine Political Report, available from: Magelan, Boite Postale 130, 75463 Paris CEDEX 10, France.

7. Palestine Solidarité, bi-weekly bulletin of l'Association Médicale Franco-Palestinienne, available from: 14 rue de Nanteuil, 75015 Paris, France.

8. Women for Women Political Prisoners, available from: P.O. Box 8537, Jerusalem 91083.

9. Another Viewpoint, commentary available from: AVP, 604 Barbera Place, Davis, California 95616, United States of America.

10. Une Terre, Deux Peuples, publication of the Association pour l'Union entre les peuples juif et palestinien, available from: C.P. 43, 1247 Anières, Geneva, Switzerland.

11. P.R.C.S. Newsletter, newsletter of the Palestine Red Crescent Society, available from: Information Department, P.O. Box 5386, Nicosia, Cyprus.

12. ADC Times news and opinions of the American-Arab Anti-discrimination Committee, available from: 4201 Connecticut Avenue N.W., Suite 500, Washington, D.C. 20008.

13. A.A.I. Issues, journal of the Arab-American Institute. Available from: 918 16th Street, N.W., Suite 601, Washington, D.C. 2006.

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